

UNITED STATES DEPARTMENT OF COMMERCE United Stat s Patent and Trad mark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

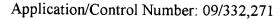
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVEN	TOR	A	TTORNEY DOCKET NO.
09/332,271	06/11/99	SCHUEGRAF 4		К	MI22-532
021567		MMC2/0522	\neg	E	XAMINER
	HN ROBERTS	GREGORY AND MATKIN		LEE, E	
SUITE 1300				ART UNIT	PAPER NUMBER
601 W FIRST SPOKANE WA				2815	
			DA	TE MAILED:	
					05/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

\$1.7	÷	Application No.	Applicant(s)					
	Office Action Summary	09/332,271	SCHUEGRAF ET AL.					
•	emee neder cammary	Examiner	Art Unit					
		Eugene Lee	2815					
	The MAILING DATE of this communication appe	ars on the cover sheet with the co	rrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status								
1)🛛	Responsive to communication(s) filed on 11 J	<u>une 1999</u> .						
2a) <u></u> ☐	This action is FINAL . 2b)⊠ Thi	s action is non-final.						
3) 🗌	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims								
4)⊠ Claim(s) <u>1-28</u> is/are pending in the application.								
4a) Of the above claim(s) is/are withdrawn from consideration.								
5) Claim(s) is/are allowed.								
6) Claim(s) is/are rejected.								
7)	7) Claim(s) is/are objected to.							
8)⊠	Claims <u>1-28</u> are subject to restriction and/or e	lection requirement.						
Application Papers								
9) The specification is objected to by the Examiner.								
10) The drawing(s) filed on is/are objected to by the Examiner.								
11)☐ The proposed drawing correction filed on is: a)☐ approved b)☐ disapproved.								
12)☐ The oath or declaration is objected to by the Examiner.								
Priority under 35 U.S.C. § 119								
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).								
a) ☐ All b) ☐ Some * c) ☐ None of:								
1. Certified copies of the priority documents have been received.								
2. Certified copies of the priority documents have been received in Application No								
 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).								
The state of the s								
Attachmont/s)								
Attachment(s)								
16) Notic	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s) _	19) Notice of Informal F	(PTO-413) Paper No(s) Patent Application (PTO-152)					



Art Unit: 2815

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 21 thru 28, drawn to semiconductor device, classified in class 257, subclass 741.
 - II. Claims 1 thru 20, drawn to method of making a semiconductor device, classifiedin class 438, subclass 1+.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are related as product made and the process of making. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed can be made by another and materially different process. For example, as an alternative to the methods set forth in claims 1-20, the product as cited in claims 21-28 may be formed by any of the alternative method claims 1, 15, and 20.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).



Application/Control Number: 09/332,271

Art Unit: 2815

INFORMATION ON HOW TO CONTACT THE USPTO

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Lee whose telephone number is 703-305-5695. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on 703-308-1690. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Eugene Lee May 17, 2001

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2800